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An ACT for Establishing, and rendering Effectual, certain Articles for the Sale of the Manor, or reputed Manor, and divers Lands, Tenements, and Hereditaments, at Kexby, in the County of York, late the Estate of Charles Headlam, Esquire, deceased; and for Vesting the undivided Third Part or Share of Anne Headlam, Spinster, an Infant, of and in the said Manor and Premises, in Trustees, in Trust, to convey the same, pursuant to the said Articles; and for other Purposes therein mentioned.



Deceas Charles Headlam, late of Kexby, in the County of York, Esquire, deceased, being in his Life-time seised in Fee-simple of the Equity of Redemption of the Manor, or reputed Manor, and divers Lands, Tenements, and Hereditaments, at Kexby aforesaid, of the yearly Value of Four hundred and Sixty-eight Pounds, or thereabouts (upon a Mortgage, whereof there was, and still remains, due, the Sum of Two thousand Five hundred and Fifty Pounds and Interest); and being indebted in other considerable Sums of Money; by his last Will and Testament, bearing Date the Seventh Day of December in the Year of our Lord One thousand Seven hundred and Forty-one, duly executed and attested, devised unto Richard Sterne, of Elvington, in the County of York, Esquire, and

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Richard Mosley, Clerk, his the said Testator's Brother-in-law, and the Survivor of them, his Heirs and Assigns, all his Lands, Tenements, Hereditaments, and Estate, at *Kexby* aforesaid, and all other his Lands or Tenements whatsoever and wheresoever, whereof he, or any Person, in Trust for him, or to his Use, was seised or possessed, either in Law or Equity (subject to the Jointure made to *Bridget* his Wife, for her Life, and to the Bequests and Directions thereafter made and expressed), in Trust, for the Use of his Four Daughters, *Elizabeth*, *Bridget*, *Margaret*, and *Anne*, and their Heirs, to hold as Tenants in common, and not as joint Tenants: And his Will was, that so soon as any of his said Daughters should attain the Age of One-and-twenty Years, her Part or Share, or proportionable Share, of the Rents and Profits, should be set out apart for her or them, and paid to and for her or their own separate Use and Benefit; and in case any of them should die before the said Age of One-and-twenty Years, then the Part or Share of her or them so dying should be divided to and amongst the Survivor or Survivors, in manner aforesaid; and devised the House at *Kexby* aforesaid he then lived in, with the Use of all the Materials thereunto belonging, or therewith used, to the said *Bridget* his Wife, during her Life, provided she continued unmarried; and appointed his said Wife Guardian of his Children; and directed that his said Trustees should not interfere with her in such Guardianship, nor in the Receipt of the Rents, until his said Children should attain their respective Ages of One-and-twenty Years, unless it was at her own Request, and to assist her, provided she continued sole and unmarried; and after giving some Legacies to certain Persons in his Will named; he appointed his said Wife sole Executrix of his said Will; and gave her all the Residue of his personal Estate, after the Payment of his Debts and Legacies: And by a Codicil, of the same Date with his said Will, duly executed and attested after the said Will, and directed by the said Testator to be annexed thereto, and to be taken as Part thereof, reciting, That he the said Testator had by his Will given to his Executrix all the Residue of his personal Estate, after the Payment of his Debts and Legacies, he revoked so much of his said Will, as related to the Payment of his Debts and Legacies; and ordered that all his Debts and Legacies (excepting the Rings he had bequeathed) should be paid out of the Rents and Profits of his real Estate; and charged the same with the Payment thereof, any thing in his Will to the contrary notwithstanding:

And whereas the said *Richard Sterne*, One of the Trustees in the said Will named, died in the Life-time of the said Testator; and the said Testator *Charles Headlam* being seised, as aforesaid, of the Equity of Redemption of the said Manor, or reputed Manor, and Premises, at *Kexby* aforesaid, and of no other real Estate; and indebted in several Sums of Money due upon Specialties, amounting in the Whole, including what was

was due for Principal and Interest upon the said Mortgage, to the Sum of Four thousand Eight hundred Pounds or thereabouts; and died on or about the Fourth Day of *February* One thousand Seven hundred and Forty-eight; without farther altering or revoking his said Will or Codicil, and leaving the said *Bridget* his Widow sole Executrix, and residuary Legatee of his said Will, and his said Four Daughters named in his said Will, and no other Child; of whom, *Elizabeth* the eldest, having attained the Age of One-and-twenty Years, after died without making any Disposition of her Share of the said Manor and Premises, whereby the said Share came equally amongst her Three surviving Sisters and Coheirs:

And whereas the said *Bridget Headlam*, Widow, upon the Death of her Husband the said Testator *Charles Headlam*, became duly intitled to a Rent-charge of One hundred Pounds a Year, clear of all Deductions, for her Life, issuing and payable out of the said Manor, or reputed Manor, and Hereditaments, at *Kexby* aforesaid, by virtue of a Grant thereof made by the said *Charles Headlam*, soon after his Intermarriage with the same *Bridget*, to take Effect immediately upon his Death, in case the same *Bridget* should survive him:

And whereas *Bridget Headlam*, Spinster, and *Margaret*, now the Wife of *Arthur Charles Stanhope*, Esquire, Two of the surviving Daughters of the said Testator *Charles Headlam*, have respectively attained the Age of One-and-twenty Years; and *Anne Headlam*, Spinster, the other surviving Daughter of the said Testator *Charles Headlam*, is an Infant of the Age of Fifteen Years, or thereabouts:

And whereas it was found by Experience, after the Death of the said *Charles Headlam*, that the Rents and Profits of the said real Estate were greatly exhausted with the Payment of the Interest of the said Testator's Debts, and the said Rent-charge to his Widow; and that after such Payments, and all necessary Deductions were made for Taxes, Repairs, and casual Charges, there did not remain above Forty Pounds a Year for the Maintenance and Education of each of the Testator's Daughters; which bears no Proportion to the Income they would have, if the said Estate was sold; it being computed, that the Interest of the same, at Three Pounds Ten Shillings *per Centum*, would then yield to each of them One hundred and Thirty Pounds a Year, or thereabouts:

And whereas it was apparent, that if the said Rents and Profits of the said real Estate, as they were received, had been applied towards the discharging the said Testator's Debts, pursuant to his Will, nothing would have been left for the Provision of his said Daughters in the mean time;

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it became absolutely necessary to sell the said real Estate, as soon as possible, for the best Price that could be got for the same: And accordingly, by Articles of Agreement, bearing Date on or about the Second Day of *December* One thousand Seven hundred and Fifty-two, and made, or mentioned to be made, by and between *Bridget Headlam*, Widow and Relict of *Charles Headlam*, late of *Kexby*, in the County of *Tork*, Esquire, deceased, *Bridget Headlam*, Spinster, Daughter of the said *Charles Headlam*, and *Arthur Charles Stanhope*, of *Mansfield*, in the County of *Nottingham*, Esquire, and *Margaret*, his Wife, who was another Daughter of the said *Charles Headlam*, of the One Part; and Dame *Sarah Dawes*, otherwise *Thompson*, of *Escrick*, in the said County, Widow, of the other Part; they the said *Bridget Headlam* Widow, *Bridget* the Daughter, *Arthur Charles Stanhope* and *Margaret* his Wife, in Consideration of Seventeen thousand and Five hundred Pounds, to be paid by the said Lady *Dawes*, at the House of the said *Bridget Headlam*, Widow, in the City of *Tork*, did sell, and agree to convey, to the said Lady *Dawes*, and her Heirs, on or before *Lady-day* then next, or within Two Months after an Act of Parliament could be procured to enable the said *Anne Headlam*, the Infant, to convey her Interest therein, a good and clear Estate in Fee-simple (a Modus of Four Pounds Eight Shillings and Ten-pence, due to the Parson of the Parish of *Catton*, Two Pounds Twelve Shillings for Bread to the Poor of the same Parish, One hundred Pounds charged by the Will of *William Headlam*, Esquire, upon the same Estate, and the Mortgage of the same Estate to *Bacon Morritt*, Esquire, only excepted) of and in the said Manor and Lordship of *Kexby* aforesaid, or the reputed Manor thereof, with the Royalty and Fishing there, together with the Mansion-house and Buildings there, and all the several Farms thereunto belonging, with the Wood and Woodlands appertaining, and all the Estate whatsoever belonging to them, or the said *Anne Headlam*, the Infant, which was the Estate of the said *Charles Headlam*, deceased, lying and being within the Township of *Kexby* aforesaid; in Consideration whereof the said Lady *Dawes* did agree to pay, or cause to be paid, unto them the said *Bridget Headlam* Widow, *Bridget* the Daughter, *Arthur Charles Stanhope*, and *Anne Headlam*, or to some or One of them, or to any Person empowered by them, or in any of the said Ways, the said Sum of Seventeen thousand and Five hundred Pounds, upon their the said *Bridget Headlam* the Widow, *Bridget* the Daughter, *Arthur Charles Stanhope*, and *Margaret* his Wife, and *Anne Headlam*, conveying to the said Lady *Dawes*, and her Heirs, a good and clear Estate, as is therein and herein above-mentioned, of and in the aforesaid Hereditaments and Premises; and it was thereby agreed between the said Parties, and every of them, that if it should be thought needful, and so advised by Counsel, that an Act of Parliament was necessary to complete the Title and Conveyance of the said

said Estate to the said Lady *Dawes*, the said *Bridget Headlam*, Spinster, *Arthur Charles Stanhope*, and *Anne Headlam*, the Infant, should be at the Charge of procuring such Act of Parliament; and the said Lady *Dawes* did also thereby promise and agree, upon an Abatement of One thousand Pounds to be made to her, out of the Purchase-money above-stipulated, to pay to the said *Bridget Headlam* the Widow the clear Sum or Annuity of One hundred Pounds a Year, during the Term of her Life, by half-yearly Payments, and be a Charge upon the Estate thereby agreed to be sold; and the said Lady *Dawes* did also further agree to keep in her Hands such Sum of Money as should, out of the said Purchase-money, belong to the said *Anne Headlam* the Infant, until such time as she should arrive at her Age of One-and-twenty Years, and to pay her Interest for the same, by half-yearly Payments, after the Rate of Three Pounds Five Shillings for each Hundred Pound by the Year; and certain other Particulars, relating to the said Purchase, were also agreed upon, as by the said Articles, relation being thereunto had, may appear:

But although all the Parties to the said Articles are willing and desirous, that the same should be carried into Execution as speedily as possible, which would manifestly be for their mutual Convenience and Advantage; **Yet**, as the said *Anne Headlam* is an Infant, as aforesaid, and the said *Richard Mosley* (the surviving Trustee in the Will of the said *Charles Headlam*) has not any Power, by the said Will, to sell, or join in any Conveyance of, the Estate devised to him thereby, the same cannot be effected without the Aid and Authority of an Act of Parliament;

Wherefore Your Majesty's most dutiful and loyal Subjects the said *Bridget Headlam* Widow, *Bridget Headlam* Spinster, *Arthur Charles Stanhope*, and *Margaret* his Wife, *Anne Headlam* Spinster, and *Richard Mosley* Clerk;

Do most humbly beseech Your MAJESTY,

That it may be **Enacted**; **And be it Enacted**, by the KING's most Excellent MAJESTY, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Articles above-recited, and every Clause therein contained, be fully and absolutely confirmed and established, as well against all the said Parties thereto, as against the said *Anne Headlam*, notwithstanding her Infancy.

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And,

And, for the more speedy and effectual Performance of the said Articles, **Be it further Enacted**, by the Authority aforesaid, That the Equity of Redemption of the said undivided Third Part or Share of her the said *Anne Headlam*, of and in the said Manor, or reputed Manor, Lands, Tenements, and Hereditaments whatsoever, at *Kexby* aforesaid, which were the Estate of the said *Charles Headlam*, at the time of his Death, with all their Appurtenances; and all the Estate, Right, Title, and Interest, both in Law and Equity, of her the said *Anne Headlam*, of, in, or to, the same, or any Part thereof, shall be, and are hereby declared to be, fully and absolutely vested in the Reverend *Jaques Sterne*, Doctor of Laws, and *Thomas Barnard*, of *Lincoln's-Inn* in the County of *Middlesex*, Gentleman, and their Heirs, in Trust, to convey the same, by any lawful Ways or Means whatsoever, to, and to the Use of, or in Trust for, the said Lady *Sarah Dawes*, otherwise *Thompson*, and her Heirs, upon the Considerations in the said Articles expressed, and according to the true Intent and Meaning thereof (subject nevertheless to the Payment of such Sum of Money to her the said *Anne Headlam*, her Executors, Administrators, or Assigns, as her the said *Anne Headlam's* Third Part or Share of the Remainder of the said Purchase-money shall amount to, after discharging the Debts and Incumbrances wherewith the said Hereditaments and Premises are charged, as aforesaid, such Sum to be paid by the said Lady *Sarah Dawes*, otherwise *Thompson*, and her Heirs, at the Expiration of Six Months after she the said *Anne Headlam* shall have attained her Age of One-and-twenty Years, with Interest, in the mean time, after the Rate of Three Pounds Five Shillings for each Hundred Pounds by the Year, to be paid by half-yearly Payments to the Guardian of her the said *Anne Headlam*, for the Maintenance and Education of her the said *Anne*); which said Conveyance, so to be made, shall be, and is hereby declared to be, binding and effectual, to all Intents and Purposes whatsoever, against the said *Anne Headlam*, and her Heirs, and all and every Person and Persons claiming, or to claim, by, from, or under her, notwithstanding her Infancy.

Provided always, That if the said *Anne Headlam* shall happen to die under the Age of Twenty-one Years, in such Case all the Share of the said *Anne Headlam* of such Remainder of the said Purchase-money, and all her Right and Interest therein, shall, at the Expiration of Six Months after the Death of the said *Anne Headlam*, be paid by the said Lady *Dawes*, otherwise *Thompson*, or her Heirs, to such Person or Persons only, to whom her Share of the said real Estate would have gone, by the Direction of her said Father's Will, in case she had died seised thereof under that Age; any Law or Custom to the contrary notwithstanding.

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Saving always to the KING's most Excellent MAJESTY, his Heirs and Successors, and to all and every other Person and Persons, Bodies Politick and Corporate, his, her, and their Heirs, Successors, Executors, and Administrators (Other than the Parties to the said Articles, and the said *Anne Headlam* the Infant, their and each of their Heirs, Executors, and Administrators, respectively), All such Estate, Right, Title, and Interest, as they, every or any of them, had and enjoyed of, in, to, or out of, the said Manor, or reputed Manor, Lands, Tenements, and Hereditaments, or any of them, before the passing this Act; or could or ought to have had and enjoyed, in case this Act had not been made.

An ACT for Establishing, and rendering Effectual, certain Articles for the Sale of the Manor, or reputed Manor, and divers Lands, Tenements, and Hereditaments, at Kexby, in the County of York, late the Estate of Charles Headlam, Esquire, deceased; and for Vesting the undivided Third Part or Share of Anne Headlam, Spinster, an Infant, of and in the said Manor and Premises, in Trustees, in Trust, to convey the same, pursuant to the said Articles; and for other Purposes therein mentioned.